

REMARKS/ARGUMENTS

Claims 71-79 remain in the application for further prosecution. Claims 35-50 have been cancelled. Claims 55-70 and 80-92 have been withdrawn. The Applicants confirm that the inventorship for the remaining claims has not changed.

Restriction/Election Requirement

In response to the restriction/election requirement, the Applicants provisionally elect Invention IV, which includes claims 71-79. The Applicants make this election, however, with traverse. It is the Applicant's belief that the claims of Invention IV should be grouped with the claims of Invention III (claims 55-70) and Invention V (claims 80-92) as the three inventions are directed to closely related subject matter. The Applicants respectfully request the Examiner to combine the claims of Invention III, Invention IV, and Invention V.

In essence, the claims of Invention IV are directed to a game button including a variable display capable of presenting images thereon and a memory communicatively coupled to the variable display. The memory is associated solely with the game button and is adapted to store information for producing the images. Claim 55 of Invention III, for example, is directed to closely related subject matter, *i.e.*, a game button having a variable display capable of presenting images viewable through a transparent cover and a memory associated with the display. The memory of claim 55 is adapted to store information for producing one or more of the images. In addition, the game button of claim 55 further includes a printed circuit board, a plunger coupled to the transparent cover, and a sensor adapted to be actuated by the plunger.

Similarly, in essence, claim 80 of Invention V is directed to a game button including a variable display mounted to a printed circuit board and capable of presenting images. The game button further includes a microcontroller communicatively coupled to the variable display and to a sensor, the microcontroller controlling the presentation of the images. In addition, the game button includes a transparent cover, a plunger, a sensor, and another printed circuit board. This is closely related to claim 71 of Invention IV, which is directed to a game button including a variable display capable of presenting images thereon and a memory adapted to store information for producing the images.

The claims in these three groups seem to be so closely related that the burden on the Examiner of combining these three groups is minimal, compared to the burden on the Applicants for paying and maintaining three patents on subject matter that is so closely related. Thus, the

Applicants submit that it would not "be a serious burden" on the Examiner to search the restricted groups. Manual of Patent Examining Procedure, Eighth Edition, Incorporating Revision No. 5, § 808.02, page 800-53.

The Applicants recognize that it is the Examiner who makes the decision as to whether the search of the restricted groups would not "be a serious burden," and that the Examiner is given much deference in these situations when rendering a restriction requirement. The Applicants, however, respectfully request that the Examiner combine Inventions III, IV, and V.

Alternatively, if the Examiner disagrees with the Applicants' submission that it would not "be a serious burden" on the Examiner to search the restricted groups, the Applicants respectfully request that the Examiner provide an analysis of the permutations of the elected group (Invention IV).

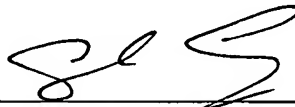
Conclusion

It is the Applicants' belief that all of the claims are now in condition for allowance and action towards that effect is respectfully requested. If there are any matters which may be resolved or clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at the number indicated.

It is believed that no fees are due; however, should any additional fees be required (except for payment of the issue fee), the Commissioner is authorized to deduct the fees from Nixon Peabody LLP Deposit Account No. 50-4181, Order No. 247079-000214USP1.

Respectfully submitted,

Date: July 10, 2007

By 

Sorinel Cimpoes
Reg. No. 48,311
Nixon Peabody LLP
161 North Clark, 48th Floor
Chicago, Illinois 60601-3213
(312) 425-8542

Attorneys for Applicants